

EXHIBIT 6

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

NEW YORK STATE FIREARMS ASSOCIATION,

et al.,

Plaintiffs,

v.

Civil Action No. 23-CV-6524-FPG

DOMINICK L. CHIUMENTO, in his official capacity as
Acting Superintendent of the New York State Police,

Defendant.

**DECLARATION OF Edward V. Jacobs IN SUPPORT OF PLAINTIFF'S REPLY IN
SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**

STATE OF NEW YORK)
) ss:s
COUNTY OF Saratoga)

Edward V. Jacobs, having been duly sworn, hereby states under the pains and penalties of perjury:

1. I am over 21 years of age and I make the following statements to my personal knowledge. If called upon to testify would competently testify as to the matters stated herein.
2. I am a 12-year resident of Mechanicville, New York.
3. I am a member of the New York State Firearms Association ("NYSFA"). I am not suing Superintendent Chiumento in my own capacity but know the NYSFA is fighting for my Second Amendment rights against New York's ammunition background checks.
4. I am a law-abiding gun owner and not subject to any possession restrictions under New York or federal law. I passed a background check to purchase a Sig Sauer P320. This gun is a pistol and uses Sig 357 ammunition.


5. On or about 10/20/2023, I went to Saratoga Weapons and Tactical in Ballston Spa, New York and to purchase Sig 357 ammunition.

6. I was required to pay \$3.00 for the ammunition background check.

7. I had to furnish about the same information I furnished to pass the background check for purchasing my firearm in the first place. It took about 5 minutes to provide this information to the dealer.

8. After about 30 minutes, I was informed that the background check system was offline and I was unable to complete the purchase. I was not offered any avenue by which to purchase ammunition other than to try again some other time. I was unequivocally deprived of my Second Amendment rights through the failure of the background check system.

9. Ammunition background checks are pointless, time-consuming exercises against law-abiding gun owners like myself. Every minute I've spent and will spend enduring a background check for ammunition purchases a violation of my Second Amendment rights.



Name

Signed and sworn before me this 26th day of October, 2023.

Adrienne T. Vicciarelli (Connell)
NOTARY PUBLIC

MY COMMISSION EXPIRES:

ADRIANNE T. VICCIARELLI
NOTARY PUBLIC-STATE OF NEW YORK
No. 01VI6424549
Qualified in Montgomery County
My Commission Expires 11-01-2025

Adrienne T. Vicciarelli (Connell)